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17 **UNITED STATES DISTRICT COURT**
18 **SOUTHERN DISTRICT OF CALIFORNIA**

19 SPENCER HOYT, individually, and on
20 behalf of other similarly situated
21 individuals, and on behalf of the
22 general public,

23 Plaintiff,

24 v.

25 HIRERIGHT, INC.,

26 Defendant.

Case No. 3:13-cv-01432-BAS-BLM

**PLAINTIFF'S NOTICE OF
MOTION AND MOTION FOR
APPROVAL OF ATTORNEYS'
FEES AND EXPENSES AND CLASS
REPRESENTATIVE SERVICE
AWARD**

District Judge: Cynthia A. Bashant
Courtroom: 4B
Hearing Date: September 19, 2016
Time: 10:30 am

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NOTICE OF MOTION AND
MOTION

Case No. 3:13-cv-01432-BAS-BLM

NOTICE OF MOTION FOR APPROVAL OF ATTORNEYS' FEES AND EXPENSES AND CLASS REPRESENTATIVE SERVICE AWARD

Please take notice that Plaintiff's Motion for Approval of Attorneys' Fees and Expenses and Class Representative Service Award will be heard together with Plaintiff's forthcoming Motion for Final Settlement Approval on September 19, 2016 at 10:30 am Pacific Time, or as soon thereafter as the Motion may be heard, in Courtroom 4B on the 4th Floor of the United States District Court for the Southern District of California, 221 West Broadway, San Diego, California, before the Honorable Cynthia Bashant.

MOTION FOR APPROVAL OF ATTORNEYS' FEES AND EXPENSES AND CLASS REPRESENTATIVE SERVICE AWARD

Pursuant to Fed. R. Civ. P 23(h) and Rule 54(d), and in accordance with this Court's Amended Order Granting Plaintiff's Motion for Preliminary Approval of the Class Action Settlement (ECF No. 132), Plaintiff Spencer Hoyt respectfully moves this Court for an Order awarding: (1) attorneys' fees of \$655,000 to Class Counsel; (2) litigation expenses of \$60,000 to Class Counsel; and (3) a service award to Plaintiff in the amount of \$10,000. This motion is unopposed by Defendant and is based on the parties' settlement agreement; the points and authorities cited in Plaintiff's accompanying memorandum of law; the Declaration of Anna P. Prakash in support of the instant motion; arguments of counsel; and all files, records and proceedings in this action.

Respectfully Submitted,

Date: July 25, 2016

NICHOLS KASTER, PLLP

/s/Anna P. Prakash

Anna P. Prakash (*pro hac vice*)

Attorney for Plaintiff and the Class

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served electronically via ECF to all counsel of record.

Date: July 25, 2016

/s/Anna P. Prakash

Anna P. Prakash